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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 06 0326 SI
)	
Plaintiff,)	ORDER AND STIPULATION FOR
)	CONTINUANCE FROM JULY 20, 2006
v.)	THROUGH SEPTEMBER 1, 2006 AND
)	EXCLUDING TIME FROM THE SPEEDY
CLIFFORD DURHAM,)	TRIAL ACT CALCULATION (18 U.S.C. §
)	3161(h)(8)(A))
Defendant.)	

With the agreement of the parties, and with the consent of the defendant, the Court enters this order scheduling a status hearing on September 1, 2006 at 11:00 A.M. and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from July 20, 2006 through September 1, 2006. The parties agree, and the Court finds and holds, as follows:

1. The parties appeared before the Court for in this matter on July 20, 2006 for a detention review hearing, and defendant again was ordered detained. Defendant indicated that he would be seeking a copy of defendant's hard drive in order to analyze it and identify any potential motions. Defense counsel also indicated that he will be out of the office for three weeks in August.

2. Accordingly, the matter was set for September 1, 2006 at 11:00 a.m. for further status and scheduling.

3. The parties requested an exclusion of time under the Speedy Trial Act for the period from July 20, 2006 through September 1, 2006. The defendant agrees to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(iv) to provide reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and for continuity of defense counsel. 18 U.S.C. § 3161(h)(8)(B)(iv).

4. After consideration of this matter, the Court finds that, taking into account the public interest in the prompt disposition of criminal cases, the ends of justice served by excluding the period from July 20, 2006 through September 1, 2006 outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

5. Accordingly, and with the consent of the defendant, the Court (1) sets a status hearing on September 1, 2006, at 11:00 A.M., and (2) orders that the period from July 20, 2006 through September 1, 2006 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A), (h)(8)(B)(iv).

IT IS SO STIPULATED:

DATED: 7/24/06

/s/
RON TYLER
Assistant Federal Public Defender

DATED: 7/24/06

/s/
MICHELLE MORGAN-KELLY
Assistant United States Attorney

IT IS SO ORDERED.

DATED: 7/31/06


THE HONORABLE SUSAN ILLSTON
United States District Court Judge